

Approved at the January 28, 2014 meeting

Flathead County Solid Waste District
Board of Directors Meeting
November 26, 2013 - **3:00 p.m.**
Landfill Office

1. Roll Call

Board Members present: Hank Olson, Chairman; Greg Acton, Vice Chair; Gary Krueger, County Commissioner; Wayne Miller, Board of Health; Susan Nicosia, City of Columbia Falls and Alan Ruby, Member at Large. Absent: John Helton, Member at Large.

District Staff present: Public Works Director Dave Prunty, Operations Manager Jim Chilton and Recording Secretary Deborah Morine.

Attendees: Roxanne Brothers, Brenda Talbert, Paul Mutascio, Marty Wardle, Robert Crabtree, Josh Brown, Scott Shreves, Mayre Flowers, Lloyd & Faith Byrnie, Charlotte French, Hayden Eaves, Dan Benesch, Lynn Stanley, Caleb Soptelean and Lynnette Hintze.

2. Introductory Remarks from Chairman

Hank Olson thanked everyone for attending and noted that John Helton was absent.

3. Comments from public

Josh Brown – Evergreen Disposal. Introduced Scott Shreves as the new Site Manager for Evergreen Disposal. Scott stated he has been with Waste Connections for 7 years.

Marty Wardle – Lakeside. Stated she has lived in the area for 30 years and is an avid recycler. She doesn't understand what prompted the need to remove green box sites as it is going to require more fuel to drive to the next nearest site. She feels people will leave garbage wherever they want. She also addressed recycling and encourages education and advertising to help get the message out.

Lynn Stanley – Kalispell. Has recycled her entire adult life. She is disappointed that the Kalispell recycle containers will be removed although; she will drive further and take her recycling to Valley Recycling Center. She also agrees that public awareness and education are important.

Dan Benesch – Lakeside. Stated that it is ill conceived and shortsighted to close the Bigfork and Lakeside container sites. He feels the rural residents are poorly represented on the Solid Waste Board. He suggests the Strategic Plan take into consideration input from the rural county residence as well as conduct an impact study and cost analysis to provide accurate and verifiable data.

Paul Mutascio – Bigfork. Stated that last January, the people of Bigfork felt the Strategic Plan needed revised as it only considered consolidation. He offered an update regarding the Bigfork Committee and said this is not only about Bigfork, but a broader view of rural residents and the consolidation of the sites. Paul explained that 65% of the residents in the county are rural and curbside service is not a good option for many as well as cost prohibitive. The District has been asked to have the Strategic Plan reviewed and take into considerations the rural stakeholders and the environmental impact of consolidating the sites. Solid Waste is a public service and needs to be looked at in that context. He said the city representatives have stated the rural residents weren't paying their fair share. Paul suggested assessing a landfill fee on all properties, even unimproved land as a way to reasonably finance the rural areas and help keep their sites. He also gave his opinion regarding who should be represented on the Board and believes City Managers and elected officials should represent the cities.

Faith Byrnie – Bigfork. She reviewed her recent experience of trying to get curbside service at her residence. She said the truck wouldn't be able to navigate her driveway or turn around in her yard; therefore service wasn't possible in their situation. She said that a needs assessment regarding rural residents wasn't conducted for the current Strategic Plan and assumptions were made.

Hayden Eaves – Lakeside. Stated he uses the Lakeside site and also lives where curbside service would be prohibitive. He states the Lakeside site is always busy and if it were to close, where do all these people go. He fears there will be more litter along the road.

Mayre Flowers – Citizens for a Better Flathead. Commended the Board and staff with trying to improve the recycling program when the bids were sent out, but since options were limited and only one bid came back with costs going up substantially, she acknowledged that it will not be possible to keep recycling status quo. She is disappointed that City of Kalispell is losing service. She feels recycling is as important as trash service. She encourages the District to get the public involved to explore creative ways to keep and hopefully expand (again) recycling.

Roxanne Brothers – Kalispell. Stated her concerned for the older citizens who wish to recycle, but have more difficulty because they can't walk or drive to a convenient recycle location. She would like to see curbside recycling.

4. Program Updates from Non-Profits

Mayre Flowers updated the Board regarding her intent to schedule a workshop sometime in February to learn more about the bioreactor. The workshop would be about a day and a half and would bring in experts who can answer to the viability of this type of system. She would like to include Board members from the Health Department, Solid Waste and Flathead Electric Co-op. She also stated that the WasteNot project is in the process of updating their website and recycle brochures. They are also gearing up for classroom presentations. She also distributed the two page recycling ad that was published in the Local Guide.

Wayne Miller asked how the ad was funded. Mayre answered Valley Recycling sponsored the ad.

5. Approval of the Board Meeting Minutes for October 22, 2013– **Action Required**

Wayne Miller motioned to approve the minutes of October 22, 2013. Greg Acton seconded. Hank stated section 7-b of the minutes needs to be amended to include Bigfork in the recycling program. Wayne Miller moved to approve the minutes as amended. Alan Ruby seconded. Motion passed.

6. Action Agenda

a. Blue Bin Recycling Program Contract Extension – **Action Required**

At the October meeting the Board directed staff to proceed forward with a contract extension with Evergreen Disposal/Valley Recycling for the blue bin recycling program. The Board decided the sites with recycling bins are to be the Landfill, Ashley Lake, Bigfork, Creston, Columbia Falls, Coram, Somers, and Lakeside. Both parties legal counsel has reviewed the contract and are acceptable to the terms.

Dave stated there is enough in the budget this year to support the cost of the contract.

Josh Brown stated that they are committed to the community and as the District works through the recycling program this next year, they hope to be included as part of the consulting team. He also stated that Valley Recycling proposes to try and work something out with Albertsons or Super 1 to keep the recycling containers at the location(s).

Wayne Miller moved to authorize the Public Works Director to execute a contract extension to the existing contract with Valley Recycling through December 31, 2014 to provide recycling services at the Landfill, Ashley Lake, Bigfork, Creston, Columbia Falls, Coram, Somers and Lakeside container sites. Alan Ruby seconded. Motion passed

b. Cancellation of December Board Meeting – **Action Required**

As is the Board's usual practice for the December meeting, if desired again this year, the Board must take action to cancel the December 24th meeting. The next meeting will take place on January 28th at 3 p.m. at the District Office.

Alan Ruby moved to cancel the December 24th meeting of the Flathead County Solid Waste District Board of Directors. Greg Acton seconded. Motion passed.

7. Director's Report

a. Bigfork Container Site

Staff met with the Bigfork Citizen's committee on November 15th to discuss where we are currently in the consolidation project. Many questions were asked, ideas exchanged and the meeting was positive. Staff reaffirmed the Commissioners direction that the Conley property was not desirable at this time and at the requested lease rate. We also stated that it appears that the Commissioners may support another property for purchase in the Bigfork area if the Committee was able to find the parcel.

We also discussed the revision to the refuse collection section of the Strategic Report. The committee was going to pull together their "top concerns or questions" and provide those to staff so SWT Engineering could analyze them during their work. We won't know if SWT can answer them until the questions are provided but all agreed that this will help in vetting the concerns of the citizens. Many of the same topics were brought up again including the cost to citizens to transport their own waste, paying the private refuse company to haul their refuse, accessibility for private service, the creation of a "special district" if costs are increased to keep a site in Bigfork and discontinuing a service provided by the District without a vote of the citizens. We also know that this information is very important to the citizens in Lakeside who have been concerned with the possibility of their site closing down.

b. Revisions to the Strategic Report for the Flathead County Landfill

Staff has initiated discussions with SWT Engineering to prepare a Scope of Work for revisions to the Strategic Report sections regarding the Container Sites for Collection, Handling and Transportation (Section 5). The initial section in the report was prepared by CH2MHill as a subcontractor to SWT. They will again be retained to work on the revisions out of their Boise, ID office. The engineer there has experience in smaller volume container sites with an eye for long range planning from previous work in northern Idaho. SWT also has experience in this work with small volume sites in the desert regions of southern California.

SWT will also be analyzing our recycling operations and looking at our various options for continuing the program in the future. This work is important to complete quickly so there is time available to construct any needed capital improvements for a program going forward after our one year extension with Valley Recycling has ended.

c. Essex Container Site Construction Project

We have been made aware of payment issue on the Essex Container Site project between the general contractor PaveCo and their subcontractor Master Blaster, who performed the blasting of the bedrock wall on the sites western perimeter. It

appears there was a verbal agreement between the two parties to perform the work and the issue centers around the discussion of a lump sum agreement versus a reduced work volume and therefore, a desire from the general contractor to pay a lesser amount and base it upon a unit price that was discussed. Master Blaster has filed a claim against the bond security required by the District from the general contractor.

Staff has worked with our engineer to try to help resolve the issue but that appears at this point to be unsuccessful. The County Attorney's Office has been consulted and Mike Pence, with the Commissioner's Office, is also aware of the issue. At this point the District has withheld payment to PaveCo in the amount of \$34,000, which includes the 5% retainage withheld and \$21,419.02 to withhold the amount the original agreement was made for, to our knowledge. Since a claim has been filed we are allowed to do this per the language in the agreement.

At this point we hope the two parties will come to an agreement and we can close out the project.

d. County Ordinance No. 8 – Litter

Staff spoke to Tara Fugina at the County Attorney's Office regarding the current language in Ordinance No. 8 and the desire by the Solid Waste Board to possibly request the Commissioners modify the language. It was Tara's opinion that while the language may not specifically require tarping of a load it is generally acceptable as currently written. She said if the Board wants to suggest a language change, provide it to her; she will review it and take it to the Commissioners either with or without her recommendation. She stated it was much better to have broader language in the Ordinance versus something so narrowly written that interpretation issues arise in its application.

Staff also asked for a meeting with Sheriff Curry and his supervisor staff to see if there were any issues from their perspective with the current language or the idea of looking at revised language. Tara felt that without concurrence from the enforcement branch drafting revised language wouldn't be any better than the current language in Ordinance No. 8. To date staff has not heard from the Sheriff regarding the requested meeting.

Wayne Miller stated he had talked with "the gentleman who used to pick up trash along highway 93". He stated the man had become quite frustrated with lack of enforcement.

e. Purchase of Replacement Refuse Truck

The District budgeted \$300,000 for a replacement refuse truck in the current fiscal year. Staff has been preparing the bid specifications and is ready to solicit bids from the vendors. The chassis will be a Tier IV compliant engine which will meet the latest air emissions standards. We will be trading in a 2002 refuse truck with this purchase.

The bid for this truck will go out in December and the award request should be in front of the Board at the January, 2014 meeting.

f. Landfill Expansion Property Acquisition

We are close to acquiring six properties in the landfill expansion area. The six properties are: Rathbun (\$248k), Sweet (\$245k), Donk/Olson (\$280k), Weed (\$220k), Hunt (\$265k) and Sullivan (\$290k). A map is included in your packet showing these properties. We are anticipating a mid December closing if everything proceeds as planned. We budgeted \$2 million this year and will spend \$1,548,000 on these purchases. All of the new appraisals performed this fall have increased in price as compared to the appraisals completed last fall.

Dave stated that the Commissioners will sign five purchase agreements tomorrow. One has been delayed. Closings will be on December 9, 2013. Dave hopes that a few more people will be ready to sell soon. Also, of the ones that are selling, all are interested in leasing back.

g. Refuse Operations

Operations proceeded well for the month. Tonnage/Volumes are shown below:

<u>October</u>	
Total MSW to landfill	9,314.17
Total Appliances Collected	623
Junk Vehicles Collected	5
Truck Trips to Container Sites	464
Refuse tons/trip	6.63

The District landfilled 14.5% more waste in October, 2013 as compared to October, 2012 and our refuse trucks hauled 5.9% more waste comparing the same time frame.

Gate revenue for fiscal year 2014 was projected at \$800,000. Through October we have received \$933,889.05 or 116.74% of revenue through 33% of the fiscal year. This increase in gate revenue is attributable to the Montana Department of Transportation project in Whitefish which generated a sizeable volume of contaminated soils brought to the landfill.

Jim stated even with a large sign that reads "STOP, no needles or sharps" there is still an ongoing problem with sharps being placed in the plastic recycle container. He stated the bin will be removed for a time to hopefully curtail the situation. Dave stated he refuses to jeopardize Valley Recycling's employee's safety or their ability to sell their plastics because of this issue.

h. Budget and Financials

Dave reviewed the Budget and Financials with the Board.

8. Comments from Board Members

Wayne Miller stated he supports creating an ad hoc advisory for the recycling dilemma.

Hank Olson asked why the Creston site was picked for the “master south site” rather than Bigfork. Dave explained it is because the Creston site is owned by the District where as the Bigfork is a leased site. Hank also stated that we have no idea when the District would need to change and go to a transfer station operation, but it will happen. Dave stated that it would be driven by tonnage.

9. Adjournment

The meeting was adjourned at 4:58 p.m.